



CHOATE, HALL & STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

EXCHANGE PLACE

53 STATE STREET

BOSTON, MASSACHUSETTS 02109-2804

TELEPHONE (617) 248-5000 • FAX (617) 248-4000

WWW.CHOATE.COM



MAIL STOP PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Express Mail No.: EV 124826235 US

Attorney Docket No.: 2003946-0056

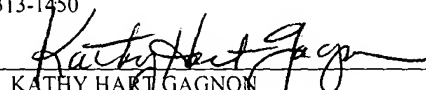
Date Filed: September 9, 2003

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EV 124826235 US

Date of Deposit: September 9, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service as "*Express Mail Post Office to Address*" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


KATHY HART GAGNON

UTILITY PATENT APPLICATION TRANSMITTAL

(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle)	Family Name or Surname	Residence
Roch	BOIVIN	11 Oakland Road Lawrence, Massachusetts 01843
Kenichi	CHIBA	5-20-401 Oomachi Tsuchiura-shi, Ibaraki, Japan
Jesse	CHOW	27 Virginia Court Hooksett, New Hampshire 03106
Hong	DU	43 Upland Street North Andover, Massachusetts 01845
Yoshihito	EGUCHI	233-38 Toyoshiki Kashiwa-shi, Chiba, Ibaraki, Japan

Masanori	FUJITA	128-3-6 Hitachinonishi, Ushiku-shi, Ibaraki, Japan
Masaki	GOTO	1141-21 Naka Tsuchiura-shi, Ibaraki, Japan
Fabian	GUSOVSKY	28 Algonquin Avenue Andover, Massachusetts 01810
Jean-Christophe	HARMANGE	57 William Street, Andover, Massachusetts 01810
Atsushi	INOUE	2-10-15 Matsushiro Tsukuba-shi, Ibaraki, Japan
Yimin	JIANG	16 Devonshire Lane, Londonderry, New Hampshire 03053
Megumi	KAWADA	4-9, Kamiya 2-chome Ushiku-shi, Ibaraki, Japan
Takatoshi	KAWAI	2-11-33 Higashi Tsukuba-shi, Ibaraki, Japan
Yoshiyuki	KAWAKAMI	3-6-2 Tokodai, Tsukuba-shi, Ibaraki, Japan
Akifumi	KIMURA	7-2 Inarimae Tsukuba-shi, Ibaraki, Japan
Makoto	KOTAKE	144-3-515 Abiko Abiko-shi, Chiba, Japan
Yoshikazu	KUBOI	2-13-14 A302 Matsushiro, Tsukuba-shi, Ibaraki, Japan
Charles-André	LEMELIN	C-38 Scotty Hollow Drive, North Chelmsford, Massachusetts 01863
Xiang-Yi	LI	229 High Plain Road Andover, Massachusetts 01810
Tomohiro	MATSUSHIMA	10-2, Tagu 2-chome Ushiku-shi, Ibaraki, Japan
Yoshiharu	MIZUI	5-74 Ninomiya 4-Chome Tsukuba-shi, Ibaraki, Japan
Kenzo	MURAMOTO	4-2-19 Ninomiya Tsukuba-shi, Ibaraki 305-0051, Japan
Hideki	SAKURAI	4-8-3 Ninomiya Tsukuba-shi, Ibaraki, Japan
Yong-Chun	SHEN	21 Villa Roma Drive Tewksbury, Massachusetts 01876
Hiroshi	SHIROTA	123 Winter Street Belmont, Massachusetts 02478
Mark	SPYVEE	75 Laura Lane Hampstead, New Hampshire 03841
Isao	TANAKA	2-5-16 Ninomiya Tsukuba-shi, Ibaraki, Japan
John (Yuan)	WANG	Andover, Massachusetts 01810

Ray	WOOD	3504 Timberwood Court Raley, North Carolina 27606
Satoshi	YAMAMOTO	3-9-7 Misono Moriya-shi, Ibaraki, Japan
Naoki	YONEDA	1-906-306 Takezono Tsukuba-shi, Ibaraki, Japan

Title of the Invention: MACROCYCLIC COMPOUNDS USEFUL AS PHARMACEUTICALS

A) APPLICATION ELEMENTS:

1) ☐ **Fee Transmittal Form** (original and duplicate submitted for fee processing)

2) ☐ **Applicant Claims Small Entity Status** (see 37 CFR §1.27)

a) ☐ **Statement Verifying Small Entity Status**

3) ☒ **Specification**

TOTAL PAGES: 408

(including 392 pp. description, 15 pp. claims, 1 pg. abstract)

- Descriptive Title of the Invention
- Priority Claim
- Background of the Invention
- Summary of the Invention
- Description of the Certain Preferred Embodiments of the Invention
- Treatment Kits
- Equivalents
- Exemplification
- Claim(s) (15 pp.)
- Abstract of the Invention (1 pg.).

4) ☐ **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS:

a) ☐ **Formal Drawings** (if checked)

5) ☐ **Oath or Declaration**

TOTAL PAGES:

a) ☐ **Newly Executed** (original)

b) ☐ **Copy from a prior application** (37 C.F.R. § 1.63(d))-for continuation/divisional application

c) ☐ **Unexecuted**

6) ☐ **Application Data Sheet.** See 37 CFR 1.76.

- 7) ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
- 8) ☐ **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)
- a) ☐ Computer Readable Form (CRF)
- b) ☐ Specification Sequence Listing on:
- i) ☐ CD-ROM or CR-R (2 copies); or
- ii) ☐ Paper (☐ pages)
- c) ☐ Statements verifying identity of above copies
- d) ☐ Amendment Introducing Sequence Listing

B) ACCOMPANYING APPLICATION PARTS:

- 9) ☐ **Assignment Papers**
- 10) ☐ **37 C.F.R. § 3.73(b) Statement**
- 11) ☐ **Power of Attorney;**
- 12) ☐ **English Translation Document** (if applicable)
- 13) ☐ **Information Disclosure Statement (IDS)/PTO-1449**
- 14) ☐ **Statement Under 37 C.F.R. §§ 1.56, 1.97 and 1.98**
- 15) ☐ **Copies of IDS Citations**
- 16) ☒ **Return Receipt Postcard (MPEP 503)** (specifically itemized)
- 17) ☐ **Certified Copy of Priority Document(s)** (if foreign priority is claimed)
- 18) ☒ **OTHER:** (if applicable, specified below)
- (a) **Appendix A – FDA Approved Oncology Drugs (11 pp.)**

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

___ CONTINUATION ___ DIVISIONAL ___ CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO:	
FILED:	
EXAMINER:	
GROUP/ART UNIT:	

FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: THE ENTIRE DISCLOSURE OF THE PRIOR APPLICATION, FROM WHICH AN OATH OR DECLARATION IS SUPPLIED AS DETAILED ABOVE, IS CONSIDERED A PART OF THE DISCLOSURE OF THE ACCOMPANYING CONTINUATION OR DIVISIONAL APPLICATION AND IS HEREBY INCORPORATED BY REFERENCE.

D.) PRIORITY CLAIM(S):

This application claims the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

Application Number	Filing Date	Status
--------------------	-------------	--------

PCT Applications designating the United States:

PCT/US03/07377	March 7, 2003	Pending
Application Number	Filing Date	Status

This application claims the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application(s):

60/362,883	March 8, 2002	Expired
Application Number	Filing Date	Status
60/380,711	May 14, 2002	Expired
Application Number	Filing Date	Status



E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

☐ Applicant claims small entity status 37 CFR §1.27

☒ A check in the amount of \$1,534.00

☒ The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number 03-1721.

Basic Filing Fee (LARGE Entity) \$750.00

Additional Fees:

Total Number of Claims in excess of 20: $(48 - 20) = 28 \times \$18$ \$504.00

Number of Independent Claims in excess of 3: $(0) \times \$42$ \$.00

Multiple Dependent Claims – YES \$280 \$280.00

Total Filing Fee: **\$1,534.00**

F) CORRESPONDENCE ADDRESS:



24280

☒ Customer Bar Code Label: PATENT TRADEMARK OFFICE

☒ Correspondence Address:

PATENT GROUP
Choate, Hall & Stewart
53 State Street
Exchange Place
Boston, MA 02109
ATTN: Nadège M. Lagneau, Ph.D.
Telephone: (617) 248-5000
Facsimile: (617) 248-4000

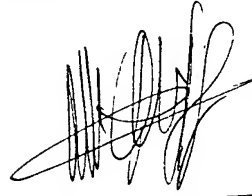
G) GOVERNMENT SUPPORT:

THE INVENTION WAS MADE BY AN AGENCY OF THE UNITED STATES GOVERNMENT OR UNDER A CONTRACT WITH AN AGENCY OF THE UNITED STATES GOVERNMENT:

☒ NO

☐ YES, THE NAME OF THE U.S. GOVERNMENT AGENCY AND THE GOVERNMENT CONTRACT NUMBER ARE : _____

Respectfully Submitted,



Nadège M. Lagneau, Ph.D.
Reg. No. 51,908

Dated: September 9, 2003

PATENT GROUP
CHOATE, HALL & STEWART
53 State Street
Exchange Place
Boston, MA 02109
Telephone: (617) 248-5000
Facsimile: (617) 248-4000